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KING COUNTY  
CHARTER REVIEW COMMISSION  
PUBLIC OUTREACH MEETING

APRIL 14, 2008

PRESTON COMMUNITY CENTER  
8625 310TH AVENUE SE  
ISSAQUAH, WASHINGTON

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REPORTED BY: CATHLENE A. EVANS, RPR, CCR NO. 2290

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(Meeting commenced at 6:35 p.m.)

MS. CATO: Good evening. It looks like it's time for us to start.

I'd like to welcome everybody here this evening. My name is Doreen Cato. I'm a commissioner with the King County Charter Review, and I'm also a resident of District 6. Again, good evening.

So what I want to do is first introduce my fellow commissioners. And then we have some individuals in the audience I would like to also welcome and introduce. And I definitely want to thank the staff for -- for coordinating all of this, so I'll introduce you to them, too.

So starting on my far left is Allan Munro; and next to him is Governor Lowry, Mike Lowry; and next is Tara Jo Heinecke.

Hi.

MS. RINDLAUB: Hi.

MS. CATO: And next -- oh. John Jensen, sitting on my immediate left. And Sarah Rindlaub, who just came in to join us.

Thank you very much for joining us.

And again, I'm Doreen Cato.

I would also like to recognize in the audience Mayor Ava Frisinger. Did I say that -- your last name

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correctly?

MAYOR FRISINGER: You did. It's an amazing thing.

MS. CATO: And the second person I would like to introduce is Lisa Jensen. She's New Castle's city councilwoman. Thank you, Lisa. And also Jeff McMorris, who is the chief of staff for King County Counselwoman Kathy Lambert. Okay. Thank you. Let people see you out there.

All right. And Mark Yango, Becky Spithill, Corrie Watterson Bryant and Charlie Ohashi, I would like to thank

11 all of them for setting this up this evening for us.  
12 Okay. Thank you.

13 So just to talk a little bit about what we're going  
14 to do this evening, we are going to go through each of the  
15 amendments that we are looking at making recommendations  
16 on. And after we have finished, each of us have on  
17 that -- that they're going to describe to you. And after  
18 we're finished, we're going to then open the floor for you  
19 to come up with comments that you would like to add or  
20 questions that you might have. I do know I want to  
21 give -- Jeff McMorris, you'll be the first one to go on  
22 the floor.

23 MR. McMORRIS: Thank you.

24 MS. CATO: All right. Now, starting with the very  
25 first amendment that we'll be looking at is the budget

0004 1 timeline, and that's Allan.

2 MR. MUNRO: Sorry. Usually my voice carries, so it  
3 doesn't do much. But the current charter, Section 410,  
4 provides what amounts to a 45-day period for the area  
5 council to analyze, assess and enact proposed amendments  
6 to the county executive's budget request. The County's  
7 grown. The budget is in the billions. And the proposal  
8 of the Charter Review Commission is to extend that from  
9 45 days to 65 days, which represents a compromise between  
10 the council's desire for 70 days and the county  
11 executive's counteroffer of 60 days. So being good  
12 politicians, we compromised.

13 MS. CATO: Thank you, Allan.

14 Okay. The next amendment that we're going to look at  
15 is the citizen initiative. Sarah.

16 MS. RINDLAUB: Yes. The State Supreme Court  
17 approved -- they had a role and approved the ability to  
18 amend our county charter city initiative, but didn't  
19 clearly lay out how many signatures were required. So we  
20 took this up and had a debate -- we had a debate about  
21 this, and the conclusion that we came to as a committee  
22 and later as a full commission was to ask citizens to come  
23 up with 20 percent of the voters who voted in the prior  
24 executive election, not -- not for national elections, but  
25 in county executive elections, so it would be 20 percent

0005 1 of whatever that vote was. That's our proposal for that  
2 amendment.

3 MS. CATO: Thank you.

4 The third amendment is the commission appointment  
5 process, and that would be Tara.

6 MS. HEINECKE: Okay. The question was should we  
7 clarify the appointment and confirmation process for  
8 future charter review commissions. When this Commission  
9 was formed, there was some dispute as to whether or not it  
10 was the county executive's final nod to confirm the  
11 commissioners or it was the council's job to do that, and  
12 we found that there were conflicting provisions in the  
13 current charter. So after much discussion and debate, we  
14 are recommending that that issue be clarified by clearly  
15 stating that in the future the County Council would vote  
16 to confirm commissioners' appointed charter review  
17 commissions.

18 MS. CATO: Thanks.

19 Governor Lowry, if you could speak -- please speak on  
20 the Council actions on Commission recommendations.

21 GOVERNOR LOWRY: This amendment to the charter would

22 require that the County Council take action on the  
23 recommendations that come out of the Charter Review  
24 Commission, all -- all the citizen work has been  
25 prohibited -- the Council would be required to take action

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1 on that. Now, action could be -- action could be to not  
2 do it, or action could be to go ahead and put it on the  
3 ballot. But this would require that within a timely  
4 sequence that County Council would take action on the  
5 recommendations of the charter review.

6 MS. CATO: Thank you.

7 All right. Next, elections deadlines.

8 MS. HEINECKE: Okay. Well, this had to do with  
9 charter-based ballot measures and filing them with the  
10 elections division. There -- because of changes in our  
11 primary process and the sequence of filing events having  
12 been pushed up, the elections office had asked us to  
13 consider amending the charter to allow more time for them  
14 to process the filings and to make sure that they got  
15 processed on a timely basis and filed in time so that they  
16 could be noted properly and the voter pamphlets and that  
17 sort of thing. So after reviewing the State's charter on  
18 the timeframe used for measures at the State level, we are  
19 recommending that we increase the amount of time to -- I'm  
20 trying to remember how many days here -- 84 days, which is  
21 kind of splitting the difference between what it currently  
22 is in the County's charter and what the State's  
23 constitution provides for.

24 MS. CATO: Thanks.

25 John, you have open space.

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1 MR. JENSEN: Yes, we have an open-space amendment.  
2 The open-space charter amendment raises the level of  
3 protection on some properties that are already owned by  
4 King County. These are not ball fields or active  
5 recreational parks. These are the best habitat,  
6 biological conservation properties along rivers and  
7 streams. They serve as salmon-recovery areas, developed  
8 with flood control, they serve drinking water resources,  
9 and they're our best and natural recreation areas. A  
10 significant amount of the acreage in the open-space  
11 amendment is with county-owned development rights on  
12 forest land. The amendment would require the Council to  
13 bring to the citizens any requests to sell or change the  
14 use of these properties. This is the same protection that  
15 farmland preservation properties currently have, and it  
16 would add our forestry and our best natural lands to this  
17 list, this category. It requires no new land be  
18 purchased. It wouldn't prohibit the County to continue to  
19 require land in the way that it does currently, but no new  
20 land would be purchased, no change in the management of  
21 these properties would be included. And these are, like I  
22 say, all high conservation value properties, not cities  
23 around. For me, I live in New Castle, and Cougar Mountain  
24 is right next door, okay, an area that will be a property  
25 that is on the list, I'm sure.

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1 MS. CATO: Thanks, John.

2 Qualifications. Sarah.

3 MS. RINDLAUB: This is an amendment that we're  
4 recommending for the Council to act, if they so choose,  
5 for two positions, especially the assessor and probably an  
6 elected elections director to have additional

7 qualifications listed for these offices, should the --  
8 should the Council choose to do so. This is a  
9 recommendation that the Council take a look at further  
10 recommendations -- further qualifications.

11 MS. CATO: Thank you very much.

12 You know, I recognize a few people who just stepped  
13 in a little late, so I just want to repeat what it is that  
14 we're doing at the moment.

15 We're going over the recommendations that the  
16 Commission is making to the Council.

17 So we have sheriff issues and -- or regional  
18 committees. Governor Lowry.

19 GOVERNOR LOWRY: Thank you. This is fairly long and  
20 boring and complicated, but it's got the order to the  
21 members of the King County Council, who are now serving on  
22 so many of the meetings of the regional committees.  
23 There's the water quality committee, the transportation  
24 committee and the regional planning committee. When the  
25 number of the Council -- King County council members was

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1 reduced from 13 to nine, all -- what that did was require  
2 many more meetings for the remaining nine members to go  
3 to. When you look at their schedule, it's just  
4 incredible. So what these three regional committees are  
5 made up of are equal representations between the County  
6 Council and by the suburban cities by Seattle and that  
7 those are -- those are an even 12 members, so what this  
8 amendment does is keep the same representation of equal  
9 between the cities, the suburban cities and the City of  
10 Seattle, and King County Council keeps that even, but  
11 reduces the number to three that would be from the County  
12 Council, and each county council member would have two  
13 votes, and so the County Council was very much for this.  
14 This was worked out by two members of our commission,  
15 Gary Long, who was the city manager of Burien, and  
16 Mike Wilkins, who is a retired assistant deputy county  
17 executive working with the suburban city representations  
18 and the City of Seattle, and they all worked real hard and  
19 came out with a good compromise of how to work on this  
20 problem. But in addition, what's in the compromise was  
21 that the non-county council members would be able to elect  
22 the vice chairs of each of the three committees -- that's  
23 an improvement in the amount of authority that the  
24 non-county council members have within these regional  
25 committees -- and that on the regional policy committee

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1 that they would be able to develop their own agenda, if  
2 they chose to, as opposed to what it presently is that it  
3 must come from the County Council. And so a really good  
4 job was done by the county council members, the suburban  
5 cities, members of -- everyone on working out this  
6 recommendation.

7 MS. CATO: Thank you.

8 Allan, sheriff's office.

9 MR. MUNRO: Yes. Currently, Section 890 of the  
10 charter designates the executive as the County's  
11 bargaining agent for community collective-bargaining  
12 agreements with all of the unions that represent various  
13 employees that work for King County. This has created a  
14 problem for the independently elected officials; namely,  
15 the sheriff and the assessor, especially the sheriff, who  
16 have kind of lost direct input to the working conditions  
17 sections of the collective-bargaining agreements that are

18 then negotiated. And by working conditions, that includes  
19 things like shift schedules, which is important in the  
20 sheriff's office. It also includes work rules and  
21 employee discipline and termination. And you probably all  
22 read a series of articles that came out about a year and a  
23 half year ago in the Seattle Post-Intelligencer where a  
24 number of employees in the sheriff's department committed  
25 what are generally conceded to be zero-tolerance

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1 infractions; and yet, through the weakness of the  
2 discipline and discharge provisions of the  
3 collective-bargaining contract remained as deputy  
4 sheriffs. And our sheriff was forced into a position  
5 where she had to pension these people off in order to get  
6 them off the force costing the taxpayers dollars that  
7 shouldn't have had to have been spent. But if she had  
8 left them on the force and they had repeated offended,  
9 there might have been big judgments against the County  
10 that would have more than offset the cost of pensioning  
11 them off early.

12 The solution, which can be found on page 28 under  
13 Regional -- the first item under Regional Governance  
14 Subcommittees is to give the independently elected  
15 officials, quote, effective participation in the  
16 collective-bargaining process. That was adopted by the  
17 vast majority of the members of the King County Charter  
18 Review Commission. But there is going to be a minority  
19 report because some of us feel that that language does not  
20 go far enough and is not definitive enough. And the  
21 minority report, which is in the process of being drafted  
22 now, would require that the independently elected  
23 officials actually consent, which means they, in effect,  
24 have sort of veto power over the working conditions  
25 provisions of the collective-bargaining agreements or

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1 negotiating with the unions that represent some or all of  
2 their employees.

3 MS. CATO: Great.

4 John, Unincorporated and Rural Area Representation.

5 MR. JENSEN: Yes, thank you.

6 I'm also going to refer to a page number -- actually,  
7 two pages, page 21 and 22 in the draft report, because we  
8 spent so much time and there's been a lot more information  
9 on there that I won't make you sit through right now. But  
10 the goal of our subcommittee on this is we heard so much  
11 about a lack of field representation, and in certain cases  
12 an absolute lack of representation in the rural areas, so  
13 we have tried to address this in two ways. The first is  
14 that our charter amendment will direct the executives to  
15 create a high-level position within -- within his office  
16 similar to a deputy executive, although there is a  
17 technical difference, as I understand, but a high-level  
18 position that will represent the interests of the rural  
19 areas. And in addition, we are suggesting an amendment to  
20 the preamble that essentially recognizes that, if you live  
21 in a city, your municipality is your local service  
22 provider, and if you live in that city, the County may  
23 also be your regional service provider, your sewers and  
24 your water, services like that. But if you live in an  
25 unincorporated area or in rural King county, the County is

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1 also your local service provider. And so this new  
2 statement in the preamble recognizes that. And although

3 it's somewhat symbolic, it also does give -- it influences  
4 the way that the rest of the charter will be interpreted.

5 MS. CATO: Thank you.

6 All righty. There's some other amendments, too, that  
7 we're going to speak about, and that's the  
8 anti discrimination. And Tara.

9 MS. HEINECKE: The question was should the charter be  
10 amended to add sexual orientation to the  
11 anti discrimination provisions of the charter. And -- and  
12 this was not a controversial issue among the  
13 commissioners. It was unanimously agreed that the charter  
14 should be updated to include sexual orientation as one of  
15 the groups that is protected from discrimination.

16 Since the last charter was reviewed 10 years ago,  
17 state law has changed in this regard to include sexual  
18 orientation. There is a caveat in that we do have  
19 contracts with the federal government; and at present, the  
20 federal law does not include sexual orientation among the  
21 protected classifications. So in order to preserve our  
22 ability to negotiate and execute contracts with federal  
23 agencies, this would exclude federal government from  
24 having to be bound to the sexual-orientation provision,  
25 but would bind any other contractors who do business with

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1 the County to include sexual orientation among the bases  
2 from which they would not discriminate in order to do  
3 business with the county government.

4 MS. CATO: Thank you, Tara.

5 Okay. Budget allotment. Allan.

6 MR. MUNRO: Finally for me, the current charter,  
7 Section 475, requires a quarterly estimate of spending by  
8 the various agencies of King County. The -- it's felt  
9 that those quarterly budget allotments and estimates of  
10 spending no longer conform to the way that the County  
11 monitors and manages its budget, that it really creates  
12 more work for the heads of those departments and their  
13 staff than the County benefits from it. So the  
14 recommendation is to delete Section 475 in its entirety.

15 If you want to read Section 475, it's on page 30 of  
16 this Charter Review Commission report, which I hope you --  
17 you have. Doreen.

18 MS. CATO: Thank you very much for making reference  
19 to the report itself.

20 Okay. Transitory provisions. Governor Lowry.

21 GOVERNOR LOWRY: These were provisions that were  
22 brought in when -- when retroed by court action. And the  
23 County merged together the transitory provisions that were  
24 brought into that item were no longer needed, so it's  
25 eliminating judifications that are no longer needed.

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1 MS. CATO: And our last one is on the King County  
2 library system. John.

3 MR. JENSEN: This is concerning issues that cover the  
4 last year and a half, so it's now too hard to now  
5 regurgitate them and remember how we came to the  
6 conclusions that we did. But the library -- the King  
7 County library system is really not within our purview.  
8 But we did hear from so many people from ad hoc groups  
9 from our investigation that understand that there were  
10 some issues that we did want to address, and we're doing  
11 so by obtaining the letters of recommendations to the King  
12 County library system and to the County Council, and also  
13 the executive, is that right? But what -- what we heard

14 and garnered from the input that we had was that there was  
15 a lack of broad representation on the King County library  
16 board, a lack of representation and expertise and  
17 geographically was there enough from rural and urban areas  
18 and maybe a lack of accountability. One of the  
19 conclusions that we came to was for an organization of  
20 their size to have only five board members made it  
21 difficult. The same way that the County Council is  
22 struggling with only nine councilmembers to cover the  
23 amount of work that they have to do, the library board is  
24 doing the best that they can, but sometimes they have  
25 subcommittee meetings, but they would only have two

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1 members that would be present, which meant it didn't have  
2 to be a public meeting because they didn't have a quorum.  
3 And as a matter of efficiency, they would have this  
4 meeting, and it was with -- with a very interested  
5 supported ad hoc group, they would sometimes maybe hear  
6 presentations at a board meeting where conclusions are  
7 somewhat reached and information had been gone through,  
8 and they didn't get to hear that, so there was maybe a  
9 good process, but it wasn't fully open to the public. So  
10 we're also recommending that they consider increasing the  
11 number of trustees from five to seven or to a number that  
12 would suit them.

13 MS. CATO: Okay. Thanks.

14 Now, you heard about the work we did. But what I  
15 want to do is kind of take a couple of steps back, if you  
16 don't mind. A lot of you probably don't know exactly the  
17 work that we are -- that we were commissioned to do.  
18 Before I have Mark speak a little bit to that, I'll have  
19 Corrie talk a little bit about the process. Are you going  
20 to do it, Corrie?

21 MS. WATTERSON BRYANT: Yes.

22 MS. CATO: Okay.

23 MS. WATTERSON BRYANT: Just a little bit more about  
24 the charter itself and then about the process that we're  
25 engaging in right now, including all of you being here

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1 tonight. The charter is the governing document of the  
2 county. It functions like a county constitution. All  
3 laws have to be subservient to the charter, except for  
4 state and federal laws, which cannot be contravened by the  
5 charter. So the Charter Commission convened a little bit  
6 over a year ago, and the first thing that they did is to  
7 come out to the public and start listening, and we were  
8 here in this room, and heard a number of people speak to  
9 issues that were particularly of importance to people in  
10 the room in incorporated areas, so the things the  
11 commission heard over nine meetings, one in each council  
12 district, did a lot to inform their work, which is  
13 something that they're rightfully proud of. This has been  
14 a very responsive process in my opinion. So the part of  
15 the process that we're in -- oh, then they went into  
16 deliberation, they broke out into subcommittees,  
17 deliberated, came up with the amendments, voted on them  
18 and then wanted to come back to the public to review these  
19 amendments with the public before making a final decision.  
20 So after these meetings convene, they'll come back again  
21 on April 27 and April 29 and vote for a final time on the  
22 amendments. So you're welcome to attend either of those  
23 meetings. They're held in downtown Seattle. And you can  
24 get the address on our website. The last part of the

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process is sending the amendments to the County Council,

and that will happen on May 30th of this year. The County Council then has the ability to review the amendments and put anything of them it wishes on the ballot. Those may go on the ballot as early as 2008, or it may be an election after that. We're recommending 13 amendments, and that's a lot for the voters to digest in one election. So more likely than not, it will be spread out over at least two elections. So that's about it for the process. And please feel free to ask either Mark, Dana or myself about any questions you have about the process or any information you might need.

MS. CATO: Okay. Thank you, Corrie.

All righty. Our first speaker for the evening is Jeff McMorris. He is going to speak on behalf of Councilmember Kathy Lambert.

MR. McMORRIS: Good evening.

Kathy is down in Burien tonight. The Council is having an evening meeting, so she asked me to deliver her remarks, so I'll be reading a speech from her, so make sure you're taking it in that perspective.

Thank you all of you who participated in this yearlong charter review process. I want to thank the Charter Review Commissioners who have spent untold hours studying and working on the charter, and I want to thank everyone who took the time to be here tonight to express

your opinions. As we review the King County's charter, which serves as the county constitution, it's important to remember that this document must serve all of the residents of King County, and it must be flexible to keep pace with changing needs. I submitted more than 40 recommendations to the Charter Review Commission earlier this year, and I'd like to thank the Commission for taking action on the following issues: The extending of the timeline for the annual review of the budget, clarifying the appointment process for the Charter Review Commission and clarifying the role as provider to the unincorporated and rural areas. Two areas that she'd like to comment on, she says, although I'm pleased that the Commission recognized our rural areas, we're recommending that a senior level rural official be located in the executive's office, and I'd like the Council be given the authority to confirm this person during the hiring process and prefer it be a cabinet-level position actually stated in the charter. I realize that the Charter Commission gave mutual accord to both the sheriff's blue ribbon task force panel findings and the executive's office who staff the Charter Review Commission. Although the sheriff is currently responsible for her personnel, the executives maintain the bargaining authority. And I remain convinced that the blue ribbon panel is correct by stating that the

sheriff should have the authority to negotiate working conditions within her own department.

Thank you again for the countless hours of service that all the charter review commissioners have given over the past year. Your service to your community is both respected and admired. I hope you'll consider my remarks which I believe will help strengthen this effort to improve our county. And again, thank you to the commissioners and each of you attending tonight for your



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time and participation in this process.

Thanks.

MS. CATO: Thank you.

I would like to extend remarks from Mayor Frisinger.

MAYOR FRISINGER: Thank you, members of the Commission. I'm very appreciative of being here to speak this evening.

I'm Ava Frisinger, and I am here as president of the board of directors of the Suburban Cities Association and also as mayor of the City of Issaquah. And Suburban Cities Association provides information, education and advocacy on behalf of its 35 member cities. And collectively we represent 785,000 King County residents or 53 percent of the people who are in incorporated King County. We've been very pleased to be able to participate throughout the review process. We appointed Sonny Putter

as our representative to -- to come and speak to the Commission, and Karen Goroski, our executive director, also has attended the meetings. And both have been very complimentary of the inclusive nature of the commission's work. Early in 2007, Suburban Cities formed a work group to draft our recommendations for amendments to the King County charter. Those amendments then went to our public issues committee, which represents approximately 25 at any given time of the 35 cities, and we -- we broke those issues or grouped them into four subject areas: Annexation and transition, regional committees, county-wide special purpose districts and good government. And then recognizing that the Commission had a limited amount of time to address a myriad of these, we're very pleased so many of the issues from Suburban Cities were included in the areas of good government of regional committees.

I'll try to speak to each one of them or each of the groupings of amendments. Although the commission's proposed amendments to the charter regarding regional committees don't necessarily respond to the -- or correspond to the original recommendations from Suburban Cities, we believe that a great deal of progress was made, and we appreciate all the work that was done, and therefore, we're whole heartedly supportive of the

recommended amendments in Sections 23.10, 27.20 and 270.30. Those are on pages 13 and 14. And Governor Lowry referred to them as not terribly exciting; but to those of us in Suburban Cities who sat in on those meetings, they are vitally crucial, invigorating and so on. Very important.

Under the heading of good government, Suburban Cities recommended that there be urban unincorporated transitional committees in the urban unincorporated areas. And we felt that the charter didn't mean for there to be any kind of government structure in urban unincorporated areas. We feel that the compromise reached through the office of the King County executive and County Council about the charter amendment, 320.20, addresses our concerns. We also recommended that the charter review process be amended so that recommendations of the Commission must be submitted to the voters as drafted by the Commission. The new provision will strengthen the role of the Charter Review Commission and guarantee that the work of the Commission will be reviewed by the voters.

21 We think that the amendment proposed in Section 800, which  
22 would require the County Council to review and take action  
23 on all Charter Review Commission recommendations is a very  
24 good one. It's a step in the right direction.

25 And then finally, we recommend that the city's

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1 citizens should be permitted to amend the charter through  
2 citizen initiative process by means of a super majority  
3 vote. It creates a more responsive government, which  
4 allows the public to submit charter amendments to the  
5 voters through the initiative process. And the proposed  
6 amendment of the Commission in Section 800-20 clarifying  
7 the citizen initiative process is responsive to the intent  
8 of our recommendation. It doesn't require a super  
9 majority, but it sets the threshold for the signatures at  
10 20 percent, and that helps ensure that only broad-based  
11 initiatives are -- would be successful.

12 So again, we appreciate the many hours that you have  
13 put in and are very pleased with the way in which the  
14 various amendments have addressed the concerns of Suburban  
15 Cities.

16 MS. CATO: Thank you.

17 MAYOR FRISINGER: Thank you very much.

18 MS. CATO: Thanks.

19 Okay. We're going to start -- let me preface this  
20 with excuse me, if I should mispronounce your name.

21 After we've had a chance for those individuals who  
22 indicated they want to speak this evening, if, by any  
23 chance, you say, oh, boy, I wish I said yes, you can, we  
24 will then turn and open it up for anybody else who will be  
25 interested in making a comment.

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1 But first we're going to start with Ed Schein.

2 MR. SCHEIN: Correct. Thank you.

3 I'm speaking on King County's open-space amendment in  
4 support of it.

5 Open space within King County's watersheds are  
6 crucial to maintaining the evergreen forest cover that  
7 make our homeland so special. Open space provides  
8 watershed and soil protection, maintains continuous  
9 wildlife corridors as well as recreation and pedestrian  
10 corridors through our neighborhoods. We moved here to the  
11 northwest because of the green landscape, not because of  
12 developed areas that are brown deserts, parking lots,  
13 freeways and streets, building roofs, bulldozed land and  
14 soil destruction. We need to make open space as important  
15 a land use -- a land value as the water, streams and Puget  
16 Sound are. And we need to encourage private landowners to  
17 protect their land as open space.

18 Shortly after Washington's Open Space Act was passed,  
19 our family used an inheritance to purchase 36 acres of  
20 saltwater clip in Skagit County and qualify it for open  
21 space so that it was valued as its existing use or the  
22 recreational property, not its highest and best use,  
23 waterfront home sites. Four years later, it was purchased  
24 for an addition to a county park preserve. It took this  
25 long for the value as open space to be needed by the

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1 county; but in the meantime, our family was able to hold  
2 on to it.

3 Our current home on Bear Creek also has about three  
4 acres that are under open-space easement that provide  
5 forest canopy and creek buffer protection for the Bear

Creek watershed.

We are also members of the Water Tempers, a group dedicated to retaining at least 50 percent or more of what forestry covers for the entire Bear Creek watershed to preserve one of the most important salmon-spawning streams in the northwest.

Needless to say, this open-space amendment to protect 106,000 acres of forest land and natural areas in King County is just as important as 12,000 acres of farmland preservation properties, land already protected under the charter with special status.

Please cause this charter amendment to have a preservation of the green spaces we all treasure must be protected and future open space acquisitions made easier because of this charter amendment.

Green is good. Thanks.

MS. CATO: Thank you.

Okay. You know, I see a question mark by Judy Kelley. Have you decided? Do you want to speak?

MS. KELLEY: I'll pass.

MS. CATO: You'll pass? Okay.

Okay. Claude Ginsburg.

MR. GINSBURG: Thank you.

Hello. I'm Claude Ginsburg, and president of No Spray Zone, an organization which advocates for integrated pest management that does not harm public health. I'm also a musician. So if I could stand in front of you and play a tune, I would do it flawlessly; but I'm not a great public speaker, so I'll have to read some of this.

First of all, I'd like to say I really thank the efforts of the whole commission. I didn't know much about the commission's process and the county charter a few months ago. And what I've learned has really impressed me that this is a really democratic and inclusive body. And I thank you very much.

I did read in the draft recommendations on page 20 that the Commission has decided to postpone recommending the adoption of instant runoff voting in King County until maybe the process in Pierce County is observed, and I'd like to talk to -- about that for a moment.

I would urge the Commission to change their draft recommendation on that.

I'd like to make the following points that instant runoff voting or rank choice voting is a majority system right from the start because there is the top two system,

which we have now, is only a majority system in the general election. And with the primary, it's possible to wind up with a winner that has less than a majority, so actually people out there. So instant runoff voting avoids all of this by eliminating the primary completely. It also promotes greater participation by minorities because candidates -- minority candidates have a real shot at winning, unlike the top two primary system which tends to eliminate candidates who don't have a huge funding base to draw on. And I have personal experience with this. Instant runoff voting, after initial calibration, the voting software will, I feel, will prove to be cheaper in the longrun than the current system since, without primary, only the -- only one election is required, so you've -- essentially, once the initial hump is compensated for, you have only half the costs.

Instant runoff voting has been tested in many situations. For instance, small ones are the governing body of professionals in political science, and U.S. Political Science Association uses it for their internal voting processes. The Heisman trophy winner is selected using instant runoff voting on -- in the football clubs. The City of San Francisco, for instance, which has a population, I think, greater than King County uses it to great success. And Cambridge, Massachusetts has been

using it for 50 or 60 years. Burlington, Vermont uses it. And the significance of Cambridge and Burlington are especially that they use the system that we're going to be using, where we currently use the Diebold software system for tallying votes. So they've had experience with the same company using instant runoff voting.

So I'm encouraged that you were open to considering this, and -- but I'd like you to reconsider your position. For one thing, King County, I feel, is a leader in not only the state, but in the United States in a lot of the policies that it adopts. And so why should we wait to see if it works in Pierce County? We can look at all these other experiences around the world where it has been working for over 75 years actually. And if we're going to compare -- if we're going to compare apples to apples, we should consider comparing ourselves, not to Pierce County so much, but to Cambridge or Burlington where their systems that they're using to count the votes would be closer to our tactical systems that we've been using.

So I'd ask you again to please change your recommendation to not wait for Pierce County to implement instant runoff voting and do this at a later time, but implement it as soon as possible.

Thank you very much.

MS. CATO: Oh, wait. We have -- just a sec.

Anybody want to say anything?

MR. JENSEN: Well, I would just say that I don't know if it was (inaudible) sang to us the other night. I want to ask you -- I don't want to put you on the spot now, but I think instant runoff voting is a little bit confusing for a lot of people, but there's obviously a lot of passion about it. I'd love to hear how instant runoff voting would work in the current presidential race. You know, that will give you some time to think. But I'd like to hear how that would work. If you could show --

MR. GINSBURG: Yeah. I'll just say one thing for everybody. Instant runoff voting is a system -- one of the things that it does is gets rid of what's called a spoiler. So for instance, Ralph Nader. You could safely vote -- if you really thought Ralph Nader was the best candidate, you could safely vote for him without fearing that somebody else would get in. If you voted for Ralph Nader, you would lose your vote. Instant runoff voting gets rid of that, so.

MS. CATO: One of the things that happened -- we were listening at another hearing. Quite a few people stepped up and talked about wanting us to look at it again. What we're willing to do is put it back on the table and just have another discussion about it. I just wanted to share that because that was something that we had talked about.

And no guarantees, okay, but we're going to look at it

again.

Okay. We'd like to ask Gloria Benson to come up.

MS. BENSON: My name is Gloria Benson, and I want to address the unincorporated areas.

I guess before I get started, I was reviewing on-line some of the information, and I was very, very disappointed to hear that recommendations that were made in '97 by the board for your committee were largely no longer. I think from what I read you now understand some of the problems that we're dealing with. And I hope that you'll really pay attention to what Kathy Lambert has said and what -- are telling you about unincorporated areas not being represented properly.

I've been -- lived in King County my entire life. I was born and raised in Seattle. And I've lived in unincorporated area for the last 21 years. So from personal experience, I can tell you that the needs and problems and concerns of both of those areas are vastly different. King County has a very dysfunctional government for people in unincorporated areas. People in the cities, of course, have a mayor. They have a city council member. They have a King County council member to address their concerns. And those of us in unincorporated have one council member. And because of the system,

everything that they bring up is continually voted down because they're outnumbered. In reality we have no effective voice in the government that controls our property and our way of life. With the urban areas -- in the urban areas, there are seven council members. In the rural areas, we have only two. So we have no effective controlling influence over decisions, rules, laws, regulations that sometimes only affect us. Urban council members often force regulations on us that they themselves may not even be controlled by. For example, the Critical Areas Ordinance. I attended a lot of the hearings. I've watched on TV some of the process. And time and time again recommendations that were brought up by our -- well, three at the time -- council members, common sense recommendations, amendments were completely voted down. They just had no voice. And we have no voice that way. You know, we have public hearings. But the urban council members came to the public hearings, they don't listen to us, and they don't even try to understand our concern, so we don't have any government representation.

I am in favor of the charter changes and the preamble changes that you've recommended. I just hope it goes somewhere. I do have a few concerns with them. First of all, the senior official that you're recommending that

would be within the executive structure, I'm concerned because the King County executive has been the least sympathetic to our needs and concerns over the years. It's like the wrong person. Secondly, I feel that there should be the requirement that this person live in the rural areas. And hopefully, it would be an elected position so we have some voice like other people have a voice in selecting a mayor. Lastly, I guess I'd like to know what authority and what influence they have on the King County Council votes that affect the rural areas. It's nice that we have someone we can talk to or cry on their shoulder, but I want someone who can actually do

13 something, not just be a figurehead.

14 One thing I've thought of over the years, I -- I  
15 don't know why there are issues that involve primarily  
16 rural areas our two councilmembers. We should require  
17 that their vote be affirmative on those or they don't pass  
18 because they're our representatives. They're the only  
19 government we have. And if they don't have an affirmative  
20 voice, it forces the rest of the council to look at our  
21 issues and come up with something that would be agreeable  
22 to them to get their votes.

23 MS. CATO: Thank you.

24 MS. HEINECKE: I have a question.

25 The way that the amendment is written is that it

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1 would be a representative not just for those in the rural  
2 areas, but also those that live in unincorporated urban  
3 areas, so it would be anybody in unincorporated King  
4 County that would fall under this umbrella. And so your  
5 suggestion that the person filling this position, if the  
6 position were established, would have to come from a rural  
7 area, were -- were you intentionally concerned that that  
8 person not be from another unincorporated area that's not  
9 rural?

10 MS. BENSON: No. No. I was just thinking I didn't  
11 want it to be a city person.

12 MS. HEINECKE: Thanks.

13 MR. JENSEN: I just want to address that. I was  
14 chair of the rural/local services subcommittee. And so I  
15 just wanted to address your concerns that it not just be a  
16 figurehead position. And I'm not sure what the specific  
17 language is in our drafts report, but we do acknowledge in  
18 there that without a commitment and a sense of  
19 responsibility from the executive and from the Council  
20 that it doesn't mean anything. And so that is necessary.

21 The first concern that you mentioned about, you know,  
22 the executive not being responsive. This proposal  
23 actually was initiated by the executive. And in -- in  
24 talking with some of the people on the unincorporated area  
25 councils, one was on our subcommittee, the idea is that

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1 they would have a person in the executive's office that  
2 was specifically charged with listening to unincorporated  
3 and rural areas. That was something that we thought  
4 was -- so it seemed odd at first or it didn't seem  
5 necessarily the right solution for exactly what you  
6 suggested. But looking at it in a different way, it may  
7 be a perfect -- perfect is probably not the right word.  
8 It may be a good direction. That it's an elected  
9 position, that's actually a fear of some people in county  
10 government that we will have too many elected positions.  
11 But obviously, the representation issue was what we were  
12 working for. You know, we started by looking at the  
13 ombudsman who is very successful, we think, David Spohr,  
14 and -- but he's dealing with problems after the fact. The  
15 ombudsman's saying this isn't working for me, and what was  
16 the solution, and he can look at that. The goal with this  
17 is to have a person who is on a daily basis working with  
18 problems that come from rural government or unincorporated  
19 areas, and that person will over a period of time begin to  
20 have a better understanding and hopefully have the  
21 influence that -- that you're suggesting is necessary and  
22 to deal with the problems that the ombudsman is having  
23 with that and start to address them. But again, the

24 primary issue is whether or not there is a commitment and  
25 responsibility by the Council and the executive for the  
0035 position.

1 GOVERNOR LOWRY: I was a member of that subcommittee  
2 that John did a great job of chairing, and actually this  
3 amendment language that really started here where we had  
4 our first public hearings, here we heard so many  
5 concerns -- we hear so many concerns, so we were working  
6 on what would be the best way to try to address this. And  
7 something I think, as a person who has never had a real  
8 job, you know, I've had an elected official job all my  
9 life, you know, but something I think really works is this  
10 will be the charter. This will be -- the senior position  
11 will be in the charter as the Council actually develops  
12 that, and the executive is required to have that senior  
13 position. And then the preamble also is stating, you  
14 know, the importance to all the people of King County of  
15 the rural and unincorporated areas, about how that is so  
16 important. And when those are in the charter, then in  
17 politics, what happens is people are going to be judging  
18 you on that. I mean, that's part of the job description.  
19 And so I wouldn't want to be the county executive or the  
20 county counselor or something and not really do the very  
21 best I could to say, this is in the charter, and we need  
22 to get there. It started here with Kathy and other  
23 people's input. And -- and frankly, I think that this  
24 actually might have some positive effect over the years of  
25

0036 getting the type of attention that everybody, I think,  
1 everybody wants the rural areas to have and  
2 unincorporated.

3 MS. CATO: Okay. Before I open it up to the  
4 commissioners, are there any other comments coming from --

5 UNIDENTIFIED SPEAKER: Question.

6 With regards to the lands that you recommended for  
7 the open-space amendment, certainly you're looking at a  
8 group of people, close by places near and dear to their  
9 hearts, and I was surprised not to see Grand Ridge on  
10 there and certainly thought it might have been appropriate  
11 to put Section 36 Soaring Eagle on there. Why -- what  
12 considerations did you take in selecting the parcels that  
13 you did and, you know, what would make one not perhaps  
14 subject to selection?

15 MS. CATO: Good question. John.

16 MR. JENSEN: I can give you a basic -- there are  
17 people here that may want to chime in. I'll give you an  
18 example. Like I said, I'm from New Castle and Cougar  
19 Mountain. Cougar Mountain wasn't on the list when we  
20 started. And Obviously, that jumped out at me. Part of  
21 the reason is that this will restrict the ability of  
22 future development in a way that it hasn't before. So  
23 with Cougar Mountain, if you've been there, there's a  
24 parking lot, and there may be a time that parking lot may  
25

0037 want to be expanded. Because right now there are days  
1 that it overflows on some nice days. So at first -- I  
2 think it was a matter of time constriction in the park.  
3 And going through all the properties, and I don't know if  
4 this is -- may change, but.

5 MR. BURNS: I'm Bob Burns. I work for --

6 MR. JENSEN: Here.

7 MS. CATO: Grab a microphone.

MR. BURNS: I'm Bob Burns with the County's department of natural resources and parks. We were involved in putting together the list.

Some of the reasons why properties would not be on the list is if there's an active recreation component. So the two you mentioned Soaring Eagle and Grand Ridge have some active or non-passive activity that occur there --

UNIDENTIFIED SPEAKER: -- these other parks?

MR. BURNS: I'm sorry. I didn't hear that.

UNIDENTIFIED SPEAKER: These other parks that are on the list don't have those?

MR. BURNS: For example, none of the properties on the list have ball fields or active recreation. And if there's anything that has active or semi-active recreation, we excluded that property or excluded that portion of the property. Cougar Mountain, as John mentioned, was a property at the beginning of this process

we didn't have on the list because we were looking at all 32 or 3300 acres of Cougar Mountain to decide whether all of Cougar Mountain should be on the list or just portions. There are portions of that property that absolutely meet the test of high-conservation value, kind of irreplaceable natural component, and then there are some pieces where maybe that's not the case. So we went through the process to determine which acreage should be on this list and which shouldn't. So what you find on the list, and there's a map on each side of the stage, is truly those high-value conservation properties, salmon conservation, flood protection, irreplaceable natural function or features. There are a lot of -- in our system that are ball fields or trails that are not on this list.

GOVERNOR LOWRY: And working forest.

MR. BURNS: Yeah, right.

MS. CATO: Sarah.

MS. RINDLAUB: I would just like to make a comment that the vote to include this open-space amendment was not unanimous. And I was one of the ones that voted against it, and there will be a minority report that will go in with -- as part of our record here. And while the objectives may be good, if you look at what the definition of the charter is and what should be in the charter, it's the governing rules regarding how you operate government.

It's not a list of properties. And it's just -- it's compromising the actual value of what a charter or constitution is supposed to be. And so there's some grave concerns about that, that this -- if this is a legislative issue and something that the County Council should do. One of the recommendations is that -- is that we could use different wording and suggest to the County Council find a list, make a list just like we have here, but do it at the legislative council level rather than amending -- trying to amend the actual charter. So that will be a part of the minority report.

MS. CATO: Allan, did you want to make a comment, or are you just looking down this way?

MR. MUNRO: No, I was not signaling.

MS. CATO: Okay. Are there any other questions from the audience?

Any comments from my fellow commissioners?

Hearing none, I just want to say thank you all for being here this evening. Thank you very much.



CERTIFICATE

STATE OF WASHINGTON )  
COUNTY OF KING ) SS.

I, the undersigned Registered Professional Reporter, Certified Court Reporter and an officer of the Court under my commission as a Notary Public for the State of Washington, hereby certify that the foregoing hearing was taken before me on APRIL 14, 2008, and transcribed under my direction;

That the transcript of the hearing is a full, true and correct transcript to the best of my ability; that I am neither attorney for, nor a relative or employee of, any of the parties to the action, or any attorney or counsel employed by the parties hereto, nor financially interested in its outcome.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this date: APRIL 22, 2008.

NOTARY PUBLIC, in and for the State of Washington, residing at Sammamish. Commission expires September 8, 2008.

/S/ CATHLENE A. EVANS